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1   IN THE UNITED STATES DISTRICT COURT
        FOR THE EASTERN DISTRICT OF VIRGINIA
2   RICHMOND DIVISION

3   _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _
                                          :
4   ePLUS, INC.,   :
                                          :
5   Plaintiff,   :
     v.   :   Civil Action
6   :   No. 3:09CV620
     LAWSON SOFTWARE, INC.,   :
7   :   January 20, 2011
                    Defendant.   :
8   _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _:

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           COMPLETE TRANSCRIPT OF **JURY TRIAL**
10   BEFORE THE HONORABLE ROBERT E. PAYNE
       UNITED STATES DISTRICT JUDGE, AND A JURY
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14   APPEARANCES:

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24   DIANE J. DAFFRON, RPR
             OFFICIAL COURT REPORTER
25   UNITED STATES DISTRICT COURT

EXHIBIT
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1   A   This is a requisition screen from the RIMS system.

2   Q   I'm sorry. Go ahead.

3   A   It shows the account number, which is a

4   department, and line items.

5   Q   Now, do the line items that are listed in that

6   requisition include information relating to the

7   sources from which the item are to be procured?

8   A   No, there's no source information. There's only

9   one source in the Fisher RIMS system.

10   Q   Why didn't the requisition built by the RIMS

11   system need to include vendor information?

12   A   There's only one vendor.

13   Q   Does the electronic sourcing system of the ePlus

14   patents require that the requisition line items have

15   associated source or vendor information?

16   A   Yes.

17   Q   Why is that necessary?

18   A   Well, because in the patents-in-suit they call for

19   the ability of the buyer to go through catalogs and to

20   select the sources from which he or she wants to buy.

21   And so the requisition needs to reflect the sources

22   that are selected or vendors - source and vendor I'm

23   using interchangeably - that the buyer has selected.

24   Q   Then does the system take that requisition and

25   need to be able to generate purchase orders using the

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1 data in that requisition?

2 A   Yes.   The '683 patent, Claim Three, and many of

3 the other claims all talk about generating multiple

4 purchase orders from the requisition, and the reason

5 for multiple purchase orders is that the individual

6 line items in the requisition are each associated with

7 vendors, and you have to have a separate purchase

8 order for reach vendor.

9 Q   So is it necessary to the functionality of being

10 able to process that requisition to generate purchase

11 orders, is it necessary to have requisitions with

12 associated vendor information?

13 A   Yes, otherwise you wouldn't know what vendors to

14 issue the purchase orders to.   Or the system wouldn't

15 know, pardon me.

16 Q   Did the RIMS system generate a purchase order from

17 a requisition?

18 A   The RIMS system generated a purchase order block

19 at the RIMS system, which is the on-site system

20 operated by the Fisher customer service rep or CSR,

21 and that purchase order block then went to the Fisher

22 warehouse where a purchase order could conceivably be

23 generated, but it would be generated with manual

24 intervention.

25 Q   Can we look at some figures in the '989 patent

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1   your closing arguments.

2   MR. McDONALD: I would expect that.

3   THE COURT: I don't want any problems on Monday

4   morning, so I want you all to show those demonstratives to each

5   other.   Are they ready now?

6   MR. ROBERTSON: I would suggest we schedule a meeting

7   sometime together Sunday and iron it all out.

8   MR. McDONALD: I think we can try to come up with a

9   time to exchange, maybe Sunday morning, 9:00 a.m.

10   THE COURT: All right.   That's fine.   Okay.   That's

11   it then, is it?   All right.   We'll be in adjournment.

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13   (Court adjourned.)

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